

1
2
3
4 VOIP-PAL.COM, INC.,
5 Plaintiff,
6 v.
7
8 APPLE, INC.,
9 Defendant.

10 Case No.18-cv-06216-LHK (VKD)
11
12

DISCLOSURE ORDER

13
14 This matter has been assigned to the undersigned Magistrate Judge for all further discovery
15 proceedings. Although Amazon.com is not a party to this proceeding, this matter having been
16 related to Case No. 5:18-cv-07020-LHK *Voip-Pal.com, Inc. v. Amazon.com, Inc., et al.* (“Amazon
17 Action”), and in the interest of full disclosure, the parties are advised of the following:

18 Before being appointed as a Magistrate Judge of this district in June 2018, the undersigned
19 was a partner at Fenwick & West LLP. While a partner at Fenwick, the undersigned performed a
20 modest amount of patent litigation work for Amazon.com, the most recent of which ended in April
21 2012.

22 The undersigned has not represented Amazon.com in the Amazon Action and does not
23 have knowledge of any of the disputed facts. However, Amazon.com was, and may still be, a
24 client of Fenwick. The undersigned is not aware that any Fenwick lawyer is or was involved in
25 representing Amazon.com in the Amazon Action, or that any Fenwick lawyer is likely to be a
26 material witness in that matter.

27 The Magistrate Judge does not believe these circumstances require her disqualification
28 from this matter under Canon 3(C)(1) of the Code of Conduct for United States Judges or 28

1 U.S.C. § 455. However, the Magistrate Judge wishes to provide the parties an opportunity to state
2 their positions otherwise and have the matter considered. Accordingly, each party is directed to
3 file a response to this order stating whether or not it objects to the Magistrate Judge's acting in this
4 matter, and the grounds for any such objection, including (as applicable) an affidavit conforming
5 to the requirements of 28 U.S.C. § 144, on or before **December 14, 2018**.

6 **IT IS SO ORDERED.**

7 Dated: December 3, 2018

8
9 
10

VIRGINIA K. DEMARCHI
United States Magistrate Judge